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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,285	02/09/2004	Craig M. Janik	81230.511US3	1139
34018 7590 04/15/2009 GREENBERG TRAUIG, LLP 77 WEST WACKER DRIVE SUITE 3100 CHICAGO, IL 60601-1732			EXAMINER ALAM, UZMA	
			ART UNIT 2457	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,285

Applicant(s)

JANIK, CRAIG M.

Examiner

UZMA ALAM

Art Unit

2457

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21, 23, 24, 27-29, 31, 34-36, 39, 44, 46, 48-50, 56-58, 64 and 65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21, 23, 24, 27-29, 31, 34-36, 39, 44, 46, 48-50, 56-58, 64 and 65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/16/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the arguments filed January 8, 2009. Claims 1-20, 22, 25, 26, 30, 32, 33, 37, 38, 40-43, 45, 47, 51-55 and 59-63 have been cancelled. Claims 64 and 65 are new. Claims 21,23,24,27-29,31,34-36,39,44,46,48-50,56-58,64 and 65 have been amended and are pending. Claims 21,23,24,27-29,31,34-36,39,44,46,48-50,56-58,64 and 65 represent a apparatus and method for delivering Internet content to a variety of thin client devices.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21,23,24,27-29,31,34-36,39,44,46,48-50,56-58,64 and 65 are rejected under 35 U.S.C. 102(e) as being anticipated by Rohwer US Patent No. 7,117,259. Rohwer teaches the invention as claimed including a method for targeting a digital information device (see abstract).

As per claims 21, 64 and 65 Rohwer teaches an apparatus and method, comprising:

a first interface capable of coupling to a wide area network (WAN) (IP network 16; end user terminal 14 connected to Internet via WAN; column 8, lines 15-18, lines 52-56);

a second interface capable of coupling at least one device via a local area network (LAN) (couple to LAN; column 8, lines 25-46); and

3. a server [18, 30] having a storage device (22), the server coupled to the first and second interfaces[LAN and IP network] to retrieve content specified by a user via the first interface from a remote facility over the WAN, to store retrieved content in the storage device, and to deliver stored, retrieved content to the at least one device via the second interface over the LAN (media server having local disk 22 coupled with LAN coupling services over WAN; column 8, lines 26-46; Figure 1);

wherein the server comprises a graphical user interface (GUI) that provides for associating content to be retrieved and stored with at least one device coupled to the LAN and for scheduling a time at which stored retrieved content is to be automatically delivered by the server to the associated at least one device coupled to the LAN (administrative terminal has GUI; column 8, lines 63-67; column 32, lines 13-36; schedule a time; column 19, lines 4-40; specify a later time; column 21, lines 2-14; start date/time; column 21, lines 15-27; scheduling options; column 22, lines 14-35; Figure 10 A and 10 D).

As per claim 23, Rohwer teaches the apparatus of claim 21, wherein the GUI further provides for scheduling a time at which content is to be retrieved by the server from the remote facility over the WAN (schedule a time; column 19, lines 4-40, Figure 10A).

As per claim 24, Rohwer teaches the apparatus of claim 21, wherein the GUI further provides for associating content to be retrieved and stored with plural devices coupled to the

LAN based on a schedule specified by the user (define groups or single destination; Figure 22; column 31, lines 5-59; column 32, lines 36-67).

As per claim 27, Rohwer teaches the apparatus of claim 21, wherein the LAN comprises a wireless network (column 1, lines 55-67; column 2, lines 1-17).

As per claim 28, Rohwer teaches the apparatus of claim 23, wherein the GUI further provides for specifying personal preferences for content to be retrieved by the server from the remote facility (column 8, lines 65-67; column 9, lines 1-26).

As per claim 29, Rohwer teaches a method, comprising:
automatically downloading content specified by a user to a server device from a remote facility over a wide area network (WAN) (end user terminal 14 connect to Internet via WAN; column 8, lines 15-18, lines 52-56); and

delivering downloaded content from the server device to at least one device via a local area network (LAN) wherein the at least one device to which is to be delivered content to be downloaded is specified to the server device by the user and downloaded content is automatically delivered from the server device to the specified at least one device according to a first schedule specified to the server device by the user (couple to LAN; column 8, lines 25-46; column 32, lines 13-36).

As per claim 31, Rohwer teaches the method of claim 29 further comprising downloading content to the server device from the remote facility according to a second schedule specified to the server device by the user, wherein the first and second schedules are different (column 21, lines 2-27; column 22, lines 14-35; column 31, lines 5-59; column 32, lines 36-67).

As per claim 34, Rohwer teaches the method of claim 29, further comprising downloading content to the server device from the remote facility as a function of personal preferences specified by the user (column 19, lines 4-40; column 21, lines 2-14).

Claims 35-36 and 39 are rejected under the same rationale as claims 29-34 because they claim a method with same limitations as the apparatus claims 29-34.

As per claim 44, Rohwer teaches method for presenting content, the method comprising: selecting content to be downloaded from a Web site to a local system using a content selection interface presented at the local system (column 8, lines 25-46

downloading the content from the Web site to the local system based on an availability of selected content at the Web site (column 21, lines 2-27); and

automatically delivering the downloaded selected content from the local system to one or more client devices at a time specified by the user using a scheduling interface of the local system (column 22, lines 14-35).

As per claim 46, Rohwer teaches an apparatus for viewing content, the apparatus comprising: a first data processing system capable of communicating with a remote facility over an Internet, the first data processing system having a first interface to select content stored at the remote facility and a scheduling mechanism to schedule a transaction for acquiring the selected content from the remote facility over the Internet (column 8, lines 15-18; column 19, lines 4-40); and

a second data processing system communicably coupled to the first data processing system over a local area network (LAN), the second data processing system having a second interface to schedule a time for automatic delivery of acquired selected content from the first data processing system to a playback device over the LAN (administrative terminal has GUI; column 8, lines 26-67; column 32, lines 13-36; schedule a time; column 19, lines 4-40; specify a later time; column 21, lines 2-14; start date/time; column 21, lines 15-27; scheduling options; column 22, lines 14-35; Figure 10 A and 10 D).

As per claims 48 and 56, Rohwer teaches an apparatus, method and medium comprising: a computing device capable of communicatively coupling to a wide area network (WAN) and capable of communicatively coupling to at least one client device over a local area network (column 8, lines 25-46);

a first user interface executable at the computing device, the first user interface allowing a user to select content to be downloaded from a remote facility over the WAN (column 8, lines 26-46);

a storage device associated with the computing device to store the downloaded content (server 18 and 30 has storage device 22); and

a second user interface executable at the at least one client device for selecting at least one of a plurality of client devices to which is to be delivered content to be downloaded and stored and for scheduling automatic delivery of stored downloaded content from the computing device to the selected at least one of the plurality of client device over the LAN (administrative terminal has GUI; column 8, lines 63-67; column 32, lines 13-36; schedule a time; column 19, lines 4-40; specify a later time; column 21, lines 2-14; start date/time; column 21, lines 15-27; scheduling options; column 22, lines 14-35; Figure 10 A and 10 D).

As per claims 49 and 57 the apparatus method and medium of claims 48 and 56 wherein the selected content is downloaded from the remote facility to the computing device periodically (schedule a time; column 19, lines 4-40; specified later time; column 21, lines 2-27; scheduling options; column 22, lines 14-35).

As per claims 50 and 58 the apparatus method and medium of claims 49 and 57 wherein periodic downloading of the selected content is performed based on availability information associated with the selected content (column 12, lines 35-67; Figure 5).

4. Applicant's arguments with respect to claims 21,23,24,27-29,31,34-36,39,44,46,48-50,56-58,64 and 65 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Humpleman et al. US Patent No. 7, 043,532.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to UZMA ALAM whose telephone number is (571)272-3995. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Uzma Alam/U. A./
Examiner, Art Unit 2457
April 8, 2009

/Salad Abdullahi/
Primary Examiner, Art Unit 2457